

Attorney Docket 83813RLO
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael J. DeBar, et al.

MEASURING ABSOLUTE STATIC
PRESSURE AT ONE OR MORE
POSITIONS ALONG A
MICROFLUIDIC DEVICE

Serial No. 10/647,360

Filed 25 August 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit 2855

Examiner Allen

I hereby certify that this correspondence was sent
by facsimile transmission to the United States
Patent and Trademark Office on the date set forth
below.

[Signature]
Joyce DeVries

Date: September 14, 2004

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,575,026. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent hereafter: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has

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**EASTMAN KODAK COMPANY
PATENT LEGAL STAFF
343 STATE STREET
ROCHESTER, NEW YORK 14650-2201**

DATE: September 14, 2004

TO: EXAMINER:

Allen

FAX NO. 571-273-2174

GROUP 2855

U.S. PATENT AND

TRADEMARK OFFICE

FROM: RAYMOND L. OWENS

FAX NO. 585-477-4646

PHONE NO. 585-477-4653

RE: U.S. Serial No. 10/647,360 filed 25 August 2003

Michael J. DeBar, et al.

MEASURING ABSOLUTE STATIC PRESSURE AT ONE OR
MORE POSITIONS ALONG A MICROFLUIDIC DEVICE

ATTORNEY DOCKET NO. 83813RLO

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below.


Jody DeVries

Date: September 14, 2004

Letter

In response to the telephone discussion of September 14, 2004
with the Examiner, please find enclosed a Terminal Disclaimer to Obviate a
Double Patenting Rejection Over a Prior Patent.

Respectfully submitted,



Attorney for Applicants
Registration No. 22,363

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the
Examiner is requested to communicate with Eastman Kodak Company Patent Operations at
(585) 477-4656.

all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

☒ The undersigned is an attorney of record. (If this box is not checked do not use this form)

Date: September 14, 2004
Telephone: 585-477-4653
Facsimile: 585-477-4646
RLO/JMD



Raymond L. Owens
Attorney of Record
Registration No. 22,363

☒ Please charge the fee to Eastman Kodak Company Deposit
Account 05-0225. (A duplicate copy of this request is enclosed)

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.